

Santa Fe River Commission  
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June 9, 2016

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Santa Fe River Commission  
Meeting Minutes-June 9, 2016  
500 Market Street Santa Fe, New Mexico  
6:00-8:00 p.m.

**CALL TO ORDER**

Mr. John Buchser, Chair called the meeting of the Santa Fe River Commission to order at 6:03 p.m. at 500 Market Station, Santa Fe, NM. A quorum was established by roll call.

**1. ROLL CALL**

**Present**

John R. Buchser, Chair  
Phil Bové, Vice Chair  
Jerry Jacobi  
Dale Doremus  
Anna Hansen  
Luke Pierpont  
Zoe Isaacson

**Not Present/Excused**

Emile Sawyer  
F.M. Patorni

**Others Present**

Melissa McDonald, Santa Fe River Watershed Coordinator, City of Santa Fe Staff  
Andy Otto, Santa Fe Watershed Association  
Raquel Baca-Thompson, Santa Fe Watershed Association  
Bob Findling, The Nature's Conservancy  
Alex Puglisi, Santa Fe Water Division  
Alan Hook, Santa Fe Water Division  
Kelley Brennan, City Attorney  
Neil Williams  
Linda Vigil, Stenographer

**2. APPROVAL OF THE AGENDA**

**MOTION:** *Ms. Hansen moved to approve the Agenda as presented with a second from Mr. Jacobi which passed by voice vote.*

**3. APPROVAL OF THE MINUTES FROM April 14, 2016 and May 12, 2016**

**MOTION:** *Ms. Hansen moved to approve the minutes of April 14, 2016 as amended previously with a second from Ms. Isaacson which passed by voice vote.*

**CORRECTIONS FOR MAY MINUTES**

Page 3 Mr. Kerry change to Mr. Steve Cary, and Ms. Hanses change to Ms. Hansen

**MOTION:** *Mr. Pierpont moved to approve the minutes of May 12, 2016 as amended with a second from Ms. Doremus which passed by voice vote.*

#### **4. COMMUNICATION FROM OTHER AGENCIES/COMMITTEES**

There was no communication from other agencies/committees.

#### **5. INFORMATION/DISCUSSION/ACTION**

##### **A.) Chapter 25 Code Re-write (Andrew Erdmann)**

Ms. McDonald reported that Mr. Erdmann was called away on business and could not attend tonight. See *Exhibit A*.

Mr. Hook explained the whole section is going to be rewritten in sequence. The Water Division feels it needs to be rewritten.

##### **B.) Living River Releases (Alex Puglisi, Melissa McDonald)**

*(See Exhibits B1-B9)*

Chair Buchser explained the reasons the releases take place. Mr. Findling described the issue with the Santa Fe Canyon Preserve. There was restoration work done to the dam and the channel that flows to Cerro Gordo through a culvert. Mr. Findling discussed the issue with the low flow to the pond and the channel. Mr. Findling explained the preserve is used by many schools and the Audubon Center. Therefore if the flow stops the water will become stagnant and the vital ecosystem will be effected.

A discussion was held about the order from the OSE (Office of State Engineer) , the administrative procedures for the Santa Fe River Target Flow and the City Ordinance regarding the Santa Fe River Target Flow for a Living River Initiative and how these are all interpreted.

A discussion was held about the initiative and the priorities the City has to make deliveries downstream and to the acequias for irrigation purposes. Mr. Hook described the evaporation and losses that are a factor.

Mr. Puglisi discussed the bypass channel and the use for diversion as it was built for the seepage. The Cerro Gordo diversion is no longer on the natural channel from the Santa Fe River. Mr. Puglisi explained the work that would need to occur and the cost to the neighborhood. The culvert could not hold the flow otherwise.

A discussion was held about the interpretation of the "Upper Santa Fe River". Mr. Puglisi discussed the flows from McClure and Nichols pond would have to draw from storage to keep the Preserve alive.

Mr. Puglisi described there is not a water right allocated to TNC (The Natures Conservancy). The OSE would require permits for releases. Mr. Puglisi again explained the City's duty by ordinance to deliver to the water customers and acequias.

Mr. Puglisi discussed flood flows and the bypass channel. Flood management would need to come into play.

A discussion was held about the living river flows that are needed to meet the demand downstream. Ms. McDonald recovered a presentation from a public meeting in 2011 regarding bypass flows in the Santa Fe River. The goal was to get water farthest downstream as possible.

Chair Buchser discussed the different interpretations and the balance that the ordinance needs. There should be some minimum flow to the preserve for the ecosystem to thrive, however the losses of flow to the living river will have to be taken into account.

Mr. Puglisi explained the City Council will have to make the decision on the amount that would get released. There is an infiltration study in the works now the data will have to be analyzed.

Mr. Bove stated there is some loss, nearly 30% but the bypass channel should be maintained at a low flow. Mr. Williams described the design of the diversion and monitored the flow for years. He believes the flow to Acequia Madre can be managed with a valve. When the area was owned by PNM the OSE ordered them to improve the bypass where it was overgrown. Once the City acquired the area there has not been any maintenance.

Mr. Williams described the stone sill between the gate that delivers to then to the Cerro Gordo is higher so the water has to rise above the gate to get there. At this time there is too much flow. Mr. Puglisi agrees that area could be improved.

Mr. Hook and Ms. McDonald discussed the levels will be lowered now that the Fishing Derby is over. Ms. McDonald stated those events are written in the ordinance.

Mr. Puglisi discussed the fact that OSE doesn't have statutory authority to regulate channel alignment. It cannot be impounded because there is an outlet and up to 10 acre feet can be detained in the pond.

Ms. Isaacson discussed the issues and believes the language can be changed in the ordinance and emphasizes what is most important which is to use the water most beneficially.

Ms. McDonald mentioned there are projects downstream that are relying on the flow. Ms. Isaacson suggested a study be done. Mr. Hook stated there were some seepage studies and service flows done a few years ago. The tricky part is the baseline and how wet is the channel below Cerro Gordo and the bypass channel.

Mr. Otto agrees the science would be crucial. Mr. Williams described where there are gauges and flumes that can be read. Mr. Williams stated when the sand filter plant was removed that was an important step. He suggested that the City daylight the water through a pipe and then a gravel bed. It could make a gravity ditch and deliver it to the acequia on the north side of the river. The bypass channel could then be for flood control.

Ms. Hansen agrees it is important to keep the preserve alive and rewrite the ordinance to describe it as part of the "Upper River".

Chair Buchser asked if it is possible to provide to the preserve after deliveries are made. Mr. Puglisi states the City Council would have to make that decision. They were instructed not to divert to TNC unless instructed by the Council. Ms. Brennan stated it will have to make it through other committees and then to Council.

Ms. Doremus suggested a study group be formed to figure this out and look closely and at the administrative procedures and make recommendations. The administrative procedures were adopted by resolutions. Mr. Hook suggested as part of the study group that a visit to the area be conducted to see the vegetation and understand the issues.

Mr. Bove stated he has to make deliveries on Tuesday and the water will be lowered by then. A subcommittee could be gathered to get answers and work out the details.

Mr. Jacobi asked if the water levels in the preserve pond have dropped below the pipe and if the flow stops when will it be depleted? Mr. Findling stated the head gate and the channel was modified that concluded delivery there was now flow and it dropped then it was increased then water went around the obstruction and has stayed sufficient.

A discussion was held about the leakage from the old pipes.

Ms. Brennan suggested the Commission make a motion to clarify the interpretation in the ordinance.

A discussion was held on the wording of the motion to be made.

**MOTION: Ms. Doremus moved the Santa Fe River Commission to recommend to the Governing Body that they view the Upper River as important significance to support a healthy river and riparian ecosystem including the Santa Fe Canyon Preserve, with a second from Ms. Hansen which passed by voice vote.**

### **c.) Reports from Sub-committees**

There was not enough time to hear each subcommittee reports, those not heard will be tabled until the next meeting.

- Watershed Revitalization-Emile Sawyer
- Promoting a Living River-John Buchser
- Species Resiliency-Zoe Isaacson
- Outdoor Economy-Luke Pierpont

Mr. Otto discussed the options for the benches and would like feedback via email. See Exhibits C1 and C2. PNM will hold an announcement event at 2:00 pm on June 15, 2016 near the State Land Office.

## **6. MATTERS FROM COMMISSIONERS**

Mr. Jacobi asked about the discharge down by the bypass out of Nichols and where will it go? Mr. Puglisi stated the gate stays open. It is mean to control flows but that is not part of lowering the amount.

## **7. MATTERS FROM SUB-COMMITTEES**

See above.

## **8. MATTERS FROM STAFF**

Ms. McDonald will send an email with all updates. The Stormwater Resolution will go before the Sustainable Committee then onto City Council on July 27, 2016.

Chair Buchser announced he will not be able to attend the next meeting. Ms. Hansen will not be able to attend the next two meetings. Ms. McDonald will make sure there is still a quorum.

## **9. SUB COMMITTEE BREAK OUT SESSION (OPTIONAL)**

## **10. CITIZEN'S COMMUNICATION FROM THE FLOOR**

There were no communications from the floor.

## **11. ADJOURN**

**MOTION:** *There being no further business to come before the Santa Fe River Commission Ms. Hansen moved to adjourn at 8:11 p.m. with a second from Mr. Pierpont which passed by voice vote.*

## **SIGNATURES**

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**John Buchser, Chair**



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**Linda Vigil, Stenographer**